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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,550	01/25/2002	Richard E. Michaelson	3718611.04548	8841
29159	7590	02/24/2010		
K&L Gates LLP P.O. Box 1135 CHICAGO, IL 60690			EXAMINER YOO, JASSON H	
			ART UNIT 3714	PAPER NUMBER
			NOTIFICATION DATE 02/24/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

chicago.patents@klgates.com

<p style="text-align: center;"><i>Examiner-Initiated Interview Summary</i></p>	<p>Application No. 10/056,550</p> <p>Examiner Jasson H. Yoo</p>	<p>Applicant(s) MICHAELSON, RICHARD E.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Art Unit 3714</td> <td style="width: 50%;"></td> </tr> </table>	Art Unit 3714	
Art Unit 3714				

All Participants:

(1) Jasson H. Yoo.

(2) Adam Masia.

Date of Interview: 17 February 2010

Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: _____

Status of Application: _____

(3) _____

(4) _____

Time: _____

Part I.

Rejection(s) discussed:

103 rejection for claim 1

Claims discussed:

Claim 1

Prior art documents discussed:

Walker 6077163, Walker 6012983, Taylor 20020132660

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Jasson H Yoo/
Examiner, Art Unit 3714

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Discussed possible claim amendments to overcome the references of Walker, Walker, and Taylor. It was discussed that amending the claims to incorporate features of a graphical display would make the combinations of Walker, Walker, and Taylor less obvious. However, Applicant's representative noted that the features of a graphical display were claimed in previously filed claims, filed on 10/24/08. Applicant's representative also noted that incorporating features of a graphical display would require the restriction requirement made on 2/27/08 to be withdrawn, and would entail an examination of independent claim of a graphical display (such as claim 48 filed on 11/26/07). The examiner suggested that a formal response to the recently filed amendments should be made in view of the new references (Walker 6077163, Walker 6012983, Taylor 20020132660) before considering propose claim amendments.

Examiners Note

After reevaluating the restriction requirement made on 2/27/08, the examiner maintains the restriction requirement and asserts that the restriction requirement made on 2/27/08 is proper. As noted in the restriction requirement, Claims 42-47, 51-56 is directed to game play intervals and a game with a payout added to a value total. Claims 48-50, 51-56 are directed to graphical indicator to display the amount of play time. The claims are considered to be subcombinations usable together. Claims 42-47, 51-56 have limitations of: deducting a fee from the value total for at least one interval, determining a payout value, adding payout value total to a value total, and repeating the steps of deducting a fee and adding payout at least once. Claims 48-50, 51-56 have limitations of: a graphical indicator to specific type of interval of time. Claims 42-47, 51-56 do not require the graphical indicator and the specifics of displaying an amount of time. Claims 42-47, 51-56 can be performed without a graphical display indicator, or with a different indicator. For instance, the invention may not use a graphical indicator or may use a graphical indicator representing a value total amount instead of an amount of time. Claims 48-50, 57-59 do not require a value payout and adding the value payout to a value total. Furthermore, the claims fail to specify that steps of deducting a fee and increasing a value total are repeated. The increase of time may occur by a one time fee. In addition, a game fee can be used to increase the time instead of a payout.